

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2008-031021-001 DT

02/03/2015

HON. SHERRY K. STEPHENS

CLERK OF THE COURT
K. Schermerhorn
Deputy

STATE OF ARIZONA

JUAN M MARTINEZ

v.

JODI ANN ARIAS (001)

KIRK NURMI
JENNIFER L WILLMOTT

CAPITAL CASE MANAGER

TRIAL MINUTE ENTRY
DAY THIRTY-SIX

Courtroom SCT-5C

State's Attorney:	Juan Martinez
Defendant's Attorney:	Kirk Nurmi & Jennifer Willmott
Defendant:	Present
Court Reporters:	Mike Babicky & Marla Arnold

Court Reporter, Mike Babicky, is present.

A record of the proceeding is also made by audio and/or videotape.

LET THE RECORD REFLECT that on 2/2/15 Exhibit 853 was temporarily released to Defense and a redacted version returned today.

10:10 a.m. Trial to Jury continues from 2/2/15.

The Jury is not present.

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LET THE RECORD REFLECT that Exhibit 855, the un-redacted copy of the exhibit, is deemed as offered only to preserve for the Appellate Court and not to go to the Jury.

Defendant's Motion to Preclude Witness is argued and denied for the reasons as stated on the record.

LET THE RECORD REFLECT that an un-redacted copy of Exhibit 853 is to be given to the Court by Defense on 2/4/15 and is split as Defense Exhibit 853.001 and deemed offered only to preserve for the Appellate Court and not to go to the Jury.

Court and counsel discuss matters.

10:34 a.m. The Jury is now present.

Dr. Janeen DeMarte is sworn and testifies.

State's Exhibit 863 is marked for identification.

The State offers State's Exhibit 863 and it is admitted in evidence.

State's Exhibit 864 is marked for identification.

State's Exhibits 865-868 are marked for identification.

State's Exhibit 869 is marked for identification.

11:57 a.m. Court stands at recess.

LET THE RECORD REFLECT that juror questions #15, #16 and #17, from the uncompleted testimony of the Defendant, were not asked and filed this date.

Filed: Juror Questions (3)

1:32 p.m. Court reconvenes with respective counsel and the Defendant present.

Court Reporter, Marla Arnold, is present.

A record of the proceeding is also made by audio and/or videotape.

The Jury is not present.

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The parties discussed the release of the transcript dated 10/30/14.

1:34 p.m. The Jury is now present.

Dr. Janeen DeMarte testifies further.

State's Exhibit 870 is marked for identification.

State's Exhibit 871 is marked for identification.

State's Exhibits 872-877 are marked for identification.

2:02 p.m. The Jury leaves the courtroom and Court remains in session.

Court and counsel discuss matters.

2:16 p.m. The Jury is now present.

Dr. Janeen DeMarte testifies further.

The State offers State's Exhibit 872 and it is admitted in evidence.

The State offers State's Exhibit 876 and it is admitted in evidence.

The State offers State's Exhibit 874 and it is admitted in evidence.

State's Exhibits 878 and 879 are marked for identification.

State's Exhibits 880 and 881 are marked for identification.

2:44 p.m. Court stands at recess.

3:04 p.m. Court reconvenes with respective counsel and the Defendant present.

Court Reporter, Marla Arnold, is present.

A record of the proceeding is also made by audio and/or videotape.

The Jury is present.

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Dr. Janeen DeMarte testifies further.

The State offers State's Exhibits 878, 880 and 881 and Exhibits 878 and 880 are admitted in evidence.

Court and counsel discuss matters.

State's Exhibit 881 is admitted in evidence.

3:58 p.m. The Jury leaves the courtroom and Court remains in session.

Court and counsel discuss matters.

4:10 p.m. Court stands at recess until 2/4/15 at 9:30 a.m. in this division.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.